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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/560,640

12/13/2005

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

RALEIGH, DONALD L

ART UNIT

PAPER NUMBER

2879

MAIL DATE

DELIVERY MODE

07/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/560,640	Applicant(s) VAN HEESWIJK, JOHANNES ANTONIUS ADRIANU	
	Examiner DONALD L. RALEIGH	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The Amendment, filed on April 23, 2008 has been entered and acknowledged by the Examiner.

Claims 1-9 are pending in the instant application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Thiel et al (US Patent No. 6,469,428).

Regarding Claim 1, Thiel discloses, at least in Figures 1-3, a lamp (Figure 1a) comprising an envelope part (1) and a cap part (5)(base), the envelope part (1) having a pinch portion (2) provided with two parallel lead-in conductor wires (3) extending outwards beyond said pinch portion (2), the cap part (5) having two contact members (4) for contacting corresponding electrical contacts of a lampholder, each conductor wire (3) being connected to a corresponding contact member (4) of the cap part (5)(see Figure 1a), characterized in that two flat surfaces (8) are present at both sides of the pinch portion (2)(shown in Figure 1c), said surfaces being parallel to the plane through said conductor wires (3), and in that clamping elements (6) of the cap part (5) abut against said surfaces.(shown in Figure 1c).

Regarding Claim 2, Thiel discloses, at least in Figure 1, a lamp characterized in that the two contact members (4) of the cap part (5) are outwardly extending tubular members. (shown in Figure 1a).

Regarding Claim 3, Thiel discloses a lamp characterized in that the pinch portion (2) has an I-shaped cross-section (shown in Figure 1c) and in that the flat surfaces (8) are located in the central portion of said I-shape. (shown in Figure 1c)

Regarding Claim 4, Thiel discloses a lamp characterized in that the clamping elements (6) are metal spring elements. (Column 3, lines 60-61).

Regarding Claim 5, Thiel discloses, at least in Figure 1, a lamp characterized in that the metal spring elements (6) are applied when the envelope part (1) and the cap part (5) are fixed in a predetermined position relative to each other, owing to which the spring elements undergo a plastic deformation. (shown in Figure 1c)(Column 3, lines 60-65).

Regarding Claim 6, Thiel discloses a lamp characterized in that the clamping element (6) is a metal strip-like part (Figure 1c and column 3, lines 61-62) surrounding a protrusion (21) of the cap part (5) such that it is fixed to said protrusion, and a portion of the strip is located at a distance from the protrusion (21)(the coiled ends of the spring

extend out from the protrusion (21)), which portion abuts against said flat surface of the pinch portion (2) of the envelope part (1). (shown in Figure 1c).

Regarding Claim 8, Thiel discloses, at least in Figure 1, a method characterized in that the clamping elements (6) are metal spring elements (Column 3, lines 61-62), and in that the metal spring elements (6) undergo a plastic deformation when they are attached to the cap part (5) of the lamp (1)(The spring (6) would have to be forced down over the slanted ends of the indentation in the base (21)(protrusion) to be as shown in Figure 1c).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thiel (428) in view of Fleming (US Patent No. 4,864,184).

Regarding Claim 7, Thiel discloses, at least in Figures 1-3, a method of manufacturing a lamp whereby an envelope part (1) is connected to a cap part (5), the envelope part (1) having a pinch portion (2) provided with two parallel lead-in conductor wires (3) extending outwards beyond said pinch portion (2)(Figure 1a), and the cap part (5)(base) having two contact members (4) for contacting corresponding electrical

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contacts of a lampholder (Column 3, lines 56-60), each conductor wire (3) being connected to a corresponding contact member (4)(see Figure 1a and Column 3, lines 55-57) of the cap part (5), characterized in that, when the envelope part (1) and the cap part (5) are fixed in a predetermined position relative to each other, and two clamping elements (6 and 12 Figure 2c) are attached to the cap part (5), which two clamping elements abut against two flat surfaces present at both sides of the pinch portion (2)(shown in Figure 1c), said surfaces being parallel to the plane through said conductor wires (Shown in Figures 1a and 1c).

Thiel fails to disclose the conductor wires are soldered or welded to the contact members.

Fleming teaches the conductor wires are soldered to the contact members. (Column 1, line 42) to complete the electrical circuit between the lamp and the base elements.

It would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to solder the conductor wires to the contact members, as taught by Fleming, in the lamp of Thiel, since this is a known way of completing the electrical circuit between the lamp the base elements.

Allowable Subject Matter

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance.

Regarding Claim 9, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set fourth in Claim 9, and specifically comprising the limitation of "a method of manufacturing a lamp characterized in that the clamping element is a metal strip-like part and the ends of said strip-like part are welded together when the strip-like part surrounds a protrusion of the cap part, so that it is fixed to said protrusion, while a portion of the strip is located at a distance from the protrusion, which portion abuts against said flat surface of the pinch portion of the envelope part."

Response to Arguments

Applicant's arguments, see amendment, filed April 16, 2008, with respect to the rejection(s) of claim(s) 1-9 under Noll have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Thiel (US Patent No. 6,469,428).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DONALD L. RALEIGH whose telephone number is (571)270-3407. The examiner can normally be reached on Monday-Friday 7:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Donald L Raleigh/
Examiner, Art Unit 2879

/Mariceli Santiago/
Primary Examiner, Art Unit 2879